

DETAILED ACTION

Response to Amendment

Applicant's amendment to the claims, filed on July 9, 2009, is acknowledged. Entry of amendment is accepted and made of record. Currently, claims 1 – 2, 4 – 7 and 9 – 13 are pending in light of the amendment, in which: claims 1, 5 – 7 and 9 were amended; claims 3 and 8 were cancelled; no claim was withdrawn; and claims 10 – 13 were added.

Applicant's amendment to the specification, filed December 17, 2008 is accepted and made of record. It is to be noted that such amendment was denied entry in the previous Office Action, dated March 19, 2009. Such entry of amendment appears to be in compliance with M.P.E.P. § 2163.07(a).

Response to Arguments/Remarks

Applicant's response filed on July 9, 2009 is acknowledged and is answered as follows.

Applicant's arguments, see pgs. 6 – 15, with respect to the declaration (filed on December 17, 2008 under 37 C.F.R. § 1.132) have been fully considered and are persuasive. It is noted that M.P.E.P. § 2163.07(a) was not the correct citation, but it is M.P.E.P. § 716.02, specifically M.P.E.P. § 716.02(b). The declaration from Walter Fix states that the references are unobvious over and not anticipated by the cited references in the Office Action. See pgs. 1 – 7, points 1 – 12. These points are found

persuasive. It is deemed unnecessary for applicant to comply with M.P.E.P. § 716.02(b) for point 13 on pg. 7, because the claimed invention was demonstrated to be unobvious to prior art from points 1 – 12. Therefore, the declaration appears to be sufficient to overcome the rejections of claims 1 – 2, 4 – 7 and 9.

Applicant's arguments, see pg. 15, with respect to request for IDS is found persuasive. Therefore, that request is withdrawn.

Applicant's arguments, see pgs. 15 – 16, with respect to rejections of claims 1 – 2, 4 – 7 and 9 under 35 U.S.C. § 112, 1st paragraph have been fully considered and found persuasive. Therefore, the rejections are withdrawn.

Applicant's arguments, see pgs. 16 – 23, with respect to rejections of claims 1 – 2, 4 – 7 and 9 under 35 U.S.C. § 103(a) have been fully considered and found persuasive. Therefore, the rejections are withdrawn.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Squire on November 16, 2009.

Specification:

1. At line 2 of ¶1, replace "cater" with --carrier--.

2. At line 4 of ¶10, "polyethylene" is listed twice. Delete the duplicated entry at the end of line 4. At line 6, delete ", etc" so that the last line ends with "... polytetrafluoroethylene."

3. At line 2 of ¶15, replace ".t>10³" with --μ>10⁻³--.

Claims:

1. Claim 1, at line 7, replace "the electrical" with --electrical--.
2. Claim 5, at line 1, replace "the electrical" with --electrical--.
3. Claim 7, at line 3, replace "(well-ordered plastic film)" with --(well-ordered plastic film)--.
4. Claim 9, at line 2, replace "a substrate" with --the substrate--.
5. Claim 11, replace the entire claim with --The structure of one of claims 1 or 5 wherein the structures form a transistor whose electrical properties comprises an improved transistor ON/OFF ratio.--

Interview Summary

During the examiner's amendment telephone interview as aforementioned, *inter alia*, the examiner discussed the following issues with William Squire and was addressed by the following:

1. Claims 1, 7 and 9 contained the phrase "the combination" in the preamble in each said claims. The examiner expressed concern that it may have issue under 35 U.S.C. § 112, 2nd paragraph for lack of antecedent basis (see M.P.E.P. § 2173.05(e)). William Squire addressed that "the combination" was referring to the claim's body

language after the word "comprising" to represent "the combination". Since "the combination" meaning is explained and appears to be acceptable, therefore it appears that there is no issue in view of M.P.E.P. § 2173.05(e).

2. With regards to the examiner's amendment to the specification, point 3, this amendment is to match what was amended in an amendment to the specification filed on May 15, 2008 and to correct the deficiency in the accepted amendment of December 17, 2008 aforementioned.

3. With regards to the examiner's amendment to the claim 5, this is for compliance to M.P.E.P. § 608.01(n).

4. With regards to the examiner's amendment to claim 11, where it recites "The structure", the recitation appears to lack antecedent basis because claims 1 or 5 make no mention of "a structure". The examiner expressed concern that it may have issue under 35 U.S.C. § 112, 2nd paragraph for lack of antecedent basis (see M.P.E.P. § 2173.05(e)). However, William Squire addressed this that in claims 1 or 5, the recited limitations form a structure that make up "the structure" as referred by claim 11. Furthermore, "the structures" is referring to the plurality form of "one of claims 1 or 5". Therefore, it appears that claim 11 may be reasonably construed to not lack antecedent bases in view of M.P.E.P. § 2173.05(e).

Allowable Subject Matter

Claims 1 – 2, 4 – 7 and 9 – 13 are allowed.

The following is an examiner's statement of reasons for the indication of allowable subject matter: The cited art, whether taken singularly or in combination, especially when all limitations are considered within the claimed specific combination, fails to teach or render obvious, *inter alia*, a substrate comprising a biaxially stretched (well-ordered) plastic film having an organic functional layer or semiconductor layer coated on and/or contiguous with the substrate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang-Quan T. Ho whose telephone number is (571)272-8711. The examiner can normally be reached on Monday - Friday, 9 AM - 5 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Loke can be reached on 571-272-1657. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hoang-Quan T Ho/
Examiner, Art Unit 2818
November 16, 2009

/Andy Huynh/
Primary Examiner, Art Unit 2818